

REMARKS

Claims 21 through 60 are currently pending in the above-captioned application. In the Official Action, the Examiner objected to Claims 36, 37 and 59 as allegedly being informal, and rejected Claims 21-60 under 35 U.S.C. § 102(e) as assertedly unpatentable over U.S. Patent No. 6,385,620 to Kurzius et al. ("Kurzius").

As an initial matter, Applicants wish to express their appreciation for the opportunity for Applicants' representative to discuss the present invention with Examiner Fleurantin and Primary Examiner Alam via telephone on January 28, 2005 (the "Interview").

After reviewing the Examiner's comments and the cited prior art, and in consideration of the substance of the Interview, the Applicants now respectfully respond as follows. First, as discussed in the Interview, the language "facilitating the creation of," present in Claims 36, 37 and 59, has been amended to read "providing a user interface for facilitating the creation of," thereby setting forth a specific function. The Examiner's objection is therefore believed to be mooted.

Turning to the rejection of Claims 21-51, Applicants believe it first necessary to clarify the teachings of Kurzius as it pertains to the referenced claims. In general, as discussed during the Interview, Kurzius describes an internet-based job-matching system of conventional design. The system manages data files ("candidate records") that describe job-seekers as well as data files ("job posting records") that describe job openings. If desired, a matching process may be carried out to determine how closely candidate records in a database match a particular job opening, or vice versa. These aspects of the Kurzius system are all conventional in nature.

In contradistinction, the present invention goes further through the use of "enhancement objects," which may be characterized as additional data, collected in data object form and specifically associated with a particular data file, that further describes a job-seeker or job opening, as appropriate. As further discussed in the Interview, these data objects may be used in the matching process or merely as tools in providing a user with additional information about the respective job-seeker or job opening.

Kurzius, however, has only very limited disclosure of anything approximating a data object such as those claimed in the present application. Specifically, as discussed in the Interview, Kurzius discloses the use of an electronic resume (see e.g. col. 15 lines 63-64), which may optionally be associated with a candidate record. Applicants first note that this is an excellent example of an enhancement object, as that term is used in the present

application. However, as Applicants have already noted, this is a very conventional type of enhancement object which is well known in the art, and no other enhancement objects are disclosed in Kurzius. Moreover, Kurzius does *not* teach the use of a corresponding type of enhancement object for the job posting, and certainly does not disclose how such an enhancement object might be matched to the electronic resume. In fact, Kurzius does not disclose any use of anything like an enhancement data object as an input in a matching process.

With regard to the Examiner's statements on the matter, as set forth in previous Official Actions, it is respectfully submitted that the Examiner erred in concluding that Fig. 15 of Kurzius discloses an "enhancement object." As will be apparent from a thorough reading of Kurzius, Fig. 15 (in combination with Figs. 14a and 14b) merely discloses an exemplary input form or template for creating a resume-based data file. Data entered in this form by a job-seeker is parsed to create the candidate record (i.e., the first type of data file). Notably, Kurzius also discloses an exemplary input form for creating a job description-based data file in Fig. 18. Data entered in this form by an employer is parsed to create a job posting (i.e., the second type of data file). Thus, the respective input forms are not supplemental "data objects" but merely function as a user interface for inputting the data making up the respective job-seeker and job opening data files that are used in the system.

With the foregoing in mind, Applicants thus believe it apparent that Kurzius does not disclose the use of enhancement data objects as contemplated in the present application. This has been clarified, however, with a series of amendments to independent Claims 21, 29 and 36 (and corresponding amendments to the claims depending therefrom), such amendments having been discussed in the Interview. First, the generic use of the terms "Category A" and "Category B" to describe data files and the like has generally been deleted in all three of the independent claims in favor of more specific terms drawn from the employment matching context. In addition, Claim 21 has been amended to make clear that the matching process includes a comparison of both the data files as well as the respective enhancement objects associated therewith, while Claims 21, 29 and 36 have been amended to better define the nature of the enhancement data objects and their relationship to the underlying data files describing job-seekers or job openings, respectively.

Turning next to the rejection of Claims 52-60, Applicants respectfully note that the Examiner has stated that the first-listed "identifying" step is disclosed at Kurzius col. 15, lines 8-32, and also that the second-listed "identifying" step is disclosed at Kurzius col. 15

lines 8-32 (see 9/7/04 Official Action pages 16-17). In fact, the referenced section of Kurzius (col. 15, lines 8-32) refers *only* to an employer's ability to weight its preferences with regard to various job criteria, or even to indicate "certain job criteria that are *mandatory or required* for a particular job posting" (col. 15, lines 17-18; emphasis added). The present invention, on the other hand, is *reciprocal* in that it permits a job *seeker* to specify certain job characteristics that he/she views to be "mandatory or required" in order for his/her resume to be considered by a matching process. Put another way, the present invention offers reciprocal functions—the employer can specify those characteristics (skills or resume data) that *must* be met for an employee to be considered for a job opening, while the job seeker can specify those characteristics (location, pay, responsibilities, etc.) that *must* be met in order for a job opening to be considered by that job seeker. As discussed in the Interview, Applicants respectfully submit that Examiner has perhaps overlooked this distinction.

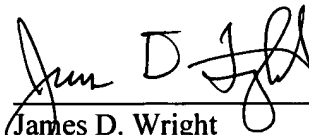
Nonetheless, Applicants have amended Claim 52 to emphasize that the respective identified characteristics "which must be met" are *requirements*. The fact that characteristics of *both* the Category A data file *and* the Category B data file are *required* to be met clearly distinguishes the present invention from all prior art systems.

Applicants have also made amendments for several other reasons, all as discussed in the Interview. First, Applicants have made a number of minor amendments to Claims 21, 29, 36 and 52 in order to clarify the relationship of each such claim's preamble to its respective body. Next, Applicants have amended most of the various dependent claims in conjunction with the various changes made in the independent Claims 21, 29, 36 and 52. Also, because of the way in which some of the independent claims were amended, some relatively redundant dependent claims were canceled altogether and one new claim (Claim 139, which is effectively the reciprocal of Claim 31) was added. Finally, Applicants added four more dependent claims (Claims 138 and 140-142) pertaining to the reciprocal nature of the matching process—that is, matching may involve assessing not only the fit of a first type of data file to a second type of data file, but also assessing the fit of the second type of data file to the first type of data file. No new matter is believed to have been introduced through the inclusion of these new claims or through the amendment of any other claim.

In view of the foregoing, Applicants respectfully submits that Claims 21, 24-26, 28-52, 54-60 and 138-142 of the present application are now in condition for allowance, based upon the limitations of Claims 21, 29, 36 and 52 and the further limitations contained within each dependent claim. Thus, Applicants respectfully request that these claims be allowed.

Finally, Applicants request that the Examiner telephone or email the undersigned to resolve any such issue so as to expedite the prosecution of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James D. Wright', is written over a horizontal line.

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